

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

In Re: Jess Cole
Case No. 17-11527-BAH
Chapter 13
Debtor

MOTION TO DISMISS AND SANCTION THE DEBTOR

NOW COMES LAWRENCE P. SUMSKI, Trustee in the above-cited case, and Moves to Dismiss the case and to Sanction the debtor, stating as follows:

1. The debtor has failed to make timely payments pursuant to the terms of his proffered Plan, causing an unreasonable delay which is prejudicial to creditors.
2. The debtor has had one or more tendered Plan payments returned by the bank for Non-Sufficient Funds.
3. Due to his failure to comply with the terms of the duly confirmed Plan, the debtor should be subject to sanctions in the amount of \$250.00.

WHEREFORE, the undersigned Chapter 13 Trustee Moves as follows:

- A. That the case be Dismissed for cause pursuant to § 1307;
- B. That, in the alternative, the debtor should be ordered to pay with good funds only for 12 months and sanctioned in the amount of \$250.00, for the benefit of creditors; or
- C. For such other and further relief as may be just.

Respectfully submitted,

Dated: December 6, 2017

/s/ Lawrence P. Sumski
Lawrence P. Sumski,
Chapter 13 Trustee
1000 Elm Street
Suite 1002
Manchester, NH 03101
ID# BNH01460